

EXHIBIT A

From: [Reed Forbush](#)
To: [Kathleen Hartnett](#); [Ghajar, Bobby A.](#); [Morton, Phillip](#)
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Subject: Kadrey v. Meta - Joint Motion re Discovery Briefing
Date: Monday, October 28, 2024 4:39:29 PM
Attachments: [2024-10-28 Kadrey v Meta - Joint Admin Mtn re Discovery Briefing_Final 420 PM.docx](#)

Dear Counsel,

1. Please find attached a proposed draft joint administrative motion Plaintiffs seek to file with your additions and consent to set up an expedited joint briefing schedule with a 30-page limit for the parties to present to the Court discovery disputes for which there is currently an impasse.
2. In addition to seeking the joint letter briefing, Plaintiffs also propose that the Court enlist a Discovery Referee/Special Master to address the parties' discovery disputes in light of the numerous disputes at issue and the need for expediency. Plaintiffs have checked with JAMS and confirmed the availability of Daniel Garrie to serve in that role. Please let us know if you consent to our making that proposal to the Court jointly and we will draft the papers (joint motion/stipulation).

Best regards,
Reed

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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

RICHARD KADREY, et al.,

Individual and Representative Plaintiffs,

v.

META PLATFORMS, INC.,

Defendant.

Case No. 3:23-cv-03417-VC

**JOINT ADMINISTRATIVE MOTION TO
FILE BRIEFING RE DISCOVERY
DISPUTES**

Discovery Matter: Hon. Thomas S. Hixson

Pursuant to Civil L.R. 7-11, Plaintiffs Richard Kadrey, Sarah Silverman, Christopher Golden, Michael Chabon, Ta-Nehisi Coates, Junot Diaz, Christopher Golden, Richard Greer, David Henry Hwang, Matthew Klam, Laura Lippman, Rachel Louise Snyder, Ayelet Waldman, Jacqueline Woodson, and Christopher Farnsworth (collectively, “Plaintiffs”) and Defendant Meta Platforms, Inc. (“Meta”) (collectively, “the Parties”) submit this Joint Administrative Motion (“Joint Motion”) requesting leave to file a 30-page joint brief concerning outstanding discovery disputes. The briefing will exclude outstanding disputes concerning Meta’s privilege logs and claims, which may be addressed in a separate stipulation and proposed order when the parties have reached impasse.

1. The parties have, through correspondence and teleconferences, raised issues and sought agreement on them, but the parties remain at an impasse on several issues (the “Disputes”).

2. Plaintiffs seek the Court’s ruling on the following issues, which Plaintiffs believe are at an impasse:

- a) Meta’s refusal to identify potentially relevant witnesses and all potentially relevant non-custodial data sources and potentially relevant custodial data sources;
- b) Meta’s failure to provide a date certain by which it will exchange search terms and hit counts;
- c) Meta’s failure to provide a date certain by which it will amend interrogatory responses;
- d) Meta’s failure to provide a date certain by which it will fix its production of incorrectly-imaged documents, including WhatsApp and Workplace chats and its anonymization of and incomplete comments by its employees in documents;
- e) Meta’s failure to respond to Plaintiffs’ requests concerning the paucity of documents produced for certain of its 10 original self-selected document custodians;
- f) Meta’s refusal to review all hyperlinked documents in its productions for

- relevance/responsiveness and produced all relevant hyperlinked documents;
- g) The scope of Meta's search of custodial and non-custodial data sources, including Meta's refusal to add document custodians requested by Plaintiffs;
 - h) The relevant time period for which Meta must search and produce responsive documents and data;
 - i) Whether Meta must search for and produce documents and data relating to all versions of its Large Language Models (Llama), including versions in development;
 - j) Meta's failure to produce all responsive pull requests and source code for its LLMs;
 - k) Meta's refusal to produce all copies of datasets with copyrighted works that Meta downloaded, or alternatively to provide a declaration identifying all such copies and related information (Plaintiffs' RFP No. 1-3 & 7, and ROG No. 1);
 - l) Meta's refusal to produce documents based on limitations Meta imposed on several of Plaintiffs' requests for production (Plaintiffs' RFP Nos. 45, 46, 53, 54, 59, 64, 74, 76, and 77);
 - m) Meta's refusal to supplement its interrogatory response to respond substantively to and answer the entirety of Plaintiffs' Interrogatory No. 15;
 - n) Meta's refusal to agree to enlarge the numbers of interrogatories the Parties may serve to the extent requested by Plaintiffs;
 - o) Meta's refusal to respond to or agree to Plaintiffs' request to shorten the time to serve objections and responses to discovery requests to 21 days; and
 - p) Meta's refusal to identify 30(b)(6) witnesses and any objections to Plaintiffs' amended 30(b)(6) topics.
3. Meta seeks the Court's ruling on the following issues:
- a) XX
4. Good cause exists for this request because the Disputes involve dozens of pending

discovery disputes that will benefit from consolidated briefing rather than individual five-page joint statements on each issue on which the parties seek a ruling. The Parties respectfully submit that the consolidated briefing will promote more orderly and efficient discovery and allow the parties to present and obtain rulings on the Disputes in a more expedited manner.

5. For these reasons, the Parties hereby request an order (1) granting the Parties leave to present their Disputes by filing a joint statement of 30 pages in letter brief format; (2) requiring the joint statement be filed on Thursday, October 31, 2024, or two days after the Court's order on this Joint Motion, whichever is earlier; (3) and allowing the Parties to attach declarations and exhibits supporting their positions in the consolidated briefing.

Dated: October 29, 2024

By: /s/ DRAFT

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